

have a proper claim under 35 U.S.C. §120 and 1.78 to the benefit of a prior filed application.”

This same notice also states that where the Patent Office has previously recognized the claim to priority, **no petition or surcharge is required** to make an amendment to the specification to claim priority. In this case, since the Patent Office has already recognized the claim to priority (as evidenced by the attached copy of the Official Filing Receipt), this amendment should be entered without a petition or surcharge.

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: February 6, 2002

By: Michael J. Pollock

Michael J. Pollock
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Attorneys for Applicant(s)

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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/912,207	07/24/2001	1756	710	NSC1-F4020	16	4	1

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Applicant(s)

Haydn James Gregory, Palo Alto, CA;

PRIOR ART STATEMENT DUE: 09-17-01 ^{taken}

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A DIV OF 09/261,989 03/04/1999FOREIGN FILING LETTER DUE: FOREIGN FILING DEADLINE:

Foreign Applications

18 MONTH SUSPENSE DATE: 01-24-03 ^{CAS}

If Required, Foreign Filing License Granted 09/13/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

Title

Single metal pixel array for light valve utilizing lateral sublithographic spacer isolation

Preliminary Class:

430

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